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09/749,615	12/28/2000	Lawrence A. Denenberg	782.1092/RAG	5948

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EXAMINER
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ART UNIT	PAPER NUMBER
2655	

DATE MAILED: 10/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/749,615	DENENBERG ET AL.
	Examiner	Art Unit
	Susan McFadden	2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 June 2001*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-49* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6-11,13-16,18-32,34-47, and 49* is/are rejected.

7)☒ Claim(s) *5,12,17,33 and 48* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

Response to Arguments

1.   Applicant's arguments with respect to claims 1-49 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

2.   Claim 5 is objected to because of the following informalities: There is no antecedent basis for "news reports" in claim 1. Appropriate correction is required.

3.   Claim 48 is objected to because of the following informalities: it is unclear what is meant by "at least one processor unit providing said processor". Appropriate correction is required.

Allowable Subject Matter

4.   Claims 13,17, and 33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6.   Claims 1-3, 23-25,39, and 47-49 are rejected under 35 U.S.C. 102(b) as being anticipated by Kanevsky et al (5,897,616).

In regard to claims 1-3,23-25,39, Kanevsky et al. show a method, computer readable medium, and system for providing an interactive voice response system comprising: recognizing a spoken question using a grammar that is automatically obtaining at least one set of topics of questions from the sources external (col. 10, ln 48-51, news, col. 13, ln 55-60) which are updated sources of information external (col. 4, ln 35-36) to the interactive voice response system (Fig. 1, item 18, Fig. 2, item 18, Abstract).

In regard to claim 47, Kanevsky et al. show an information services system comprising: at least one storage unit to store a grammar and information in response to a question by a user (col. 4, ln 35-36) and at least one processor to automatically update the grammar from sources of information external to the information services system (Fig. 1, item 18, Fig. 2, item 18, Abstract).

In regard to claim 48, Kane sky et al. show in Figure 2, an information services system comprising: a master control unit to control operation of said information services system (item 22), and a plurality of application processing units coupled to said master control unit (item 28) including one processor unit providing said processor (item 20), one storage unit (item 18), and a telephone interface unit coupled to processor unit (item 12).

In regard to claim 49, Kanevsky et al. show in Figure 4 (item 104), at least one processor is programmed to obtain at least one set of topics for questions spoken by a user from the sources of information for use in updating the grammar (col. 4, ln 35-36, Abstract).

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8.   Claims 4-12,14-16,26-32,33-34, and 40-44 are rejected under 35 U.S.C. 103(a)

as being unpatentable over Kanevsky et al (cited above) in view of Appelt et al. (U.S.

Patent 6,601,026 B2).

In regard to claims 4,26, and 40, Kanevsky et al. show the method and system

for discussed above. They do not specifically show that a news report provider is

repeatedly accessed via a computer network. Appelt et al. show an interactive voice

system and method which includes repeatedly (continuously) accessing the at least one

news report provider (news service provider, col.4, ln 14-16, col. 5, ln. 9-12) via a

computer network (Fig. 10, network 530, col.12, 11.48-57). The real-time news services

are continuously accessed for the information database, e.g., the free-text

documents,103, continuously updated. Therefore, it would be obvious to one of ordinary

skill in the art at the time of the invention to add a news database and provider because

it would give the system more flexibility.

In regard to claims 5,7,27, and 41, Kanevsky et al. show the method and system

discussed above which includes extracting keywords (col. 14, ln 3), which inherently

can be highlighted and used to update the grammar. They do not specifically show that

these words are from a news report. Appelt et al. show an interactive voice system and

method which includes repeatedly (continuously) accessing the at least one news report provider (news service provider, col.4, 11.14-16, col.5, 11.9-12) via a computer network (the network 530, col.12, 11.48-57). The real-time news services is continuously accessed for the information database, e.g., the free-text documents 1 03, to be continuously updated. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to add a news database because it would give the system more flexibility.

In regard to claims 6,28, and 42, Kanevsky et al. show the method and system discussed above but does not specifically show that part of the news reports are stored and outputted. Appelt et al. show a method above, further comprising: storing at least part (e.g., index with list of terms or words, col. I, 11,52-64, col.2, 11.30- 34, 11.60-67) of the news reports (Fig.7: 502, Fig.8), and the indices are stored in database 109. (col.5, 1n 34-37) outputting at least one of the news reports (Fig.7, 502, Fig.8) when the spoken question (e.g., "Tell me about joint ventures involving SBC in the Communication Services Sector", col. 11, ln 53-55) contains at least one of the keywords (e.g., 'joint ventures' and 'SBC' in the summary 504, col. 11, ln 58-65) extracted therefrom. The keywords are extracted by information extraction engine 108 (col. 5, ln 21-24, 1ln 38-41). Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to add these features because it would give the system more flexibility.

In regard to claims 8 and 29, Kanevsky et al. show the method and system for discussed above but does not specifically show that specific keywords can be extracted.

Appelt et al. show the method above, further comprising: comparing words in the news reports with a list of potential keywords (e.g., relevant keywords) to identify the keywords for said extracting. (e.g., pre-filtering, Fig. l, 106, col.6, ln 25-29). Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to add these features because it would give the system more flexibility.

In regard to claims 9,10,31, and 32, Kanevsky et al. show the method and system for discussed above but does not specifically show that audio files are used and output. Appelt et al. show the method above, wherein said storing stores at least one file (text corpus 103 containing text from multimedia source 550: col.5, 1n14-24, Fig.11, col.14, ln 9-14) containing an audio signal (sound stream) related to at least one of the news reports (Fig.7: 502, Fig.8, col.3, ln 37-45, col.4, ln 34-40) and wherein said outputting plays back (through the TTS system, Fig.10, 537, col.13, ln 39-43, col.4, ln 30-32) the at least one audio file. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to add these features because it would give the system more flexibility.

In regard to claim 11, Kanevsky et al. show the method and system discussed above but does not specifically show that text to speech is used. Appelt et al. show the method above, wherein said storing stores at least one text file (text format documents, col.5, 11.14- 15) related to one of the news reports (Fig.7, 502, Fig.8), and wherein said outputting includes text-to-speech (RTS 537, col.13, ln 33-43) conversion of the at least one text file. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to add these features because it would give the system more flexibility.

In regard to claim 12, Kanevsky et al. show the method and system discussed above but does not specifically show that user can select a news report. Appelt et al. show the method above, further comprising: determining the at least one news report provider (e.g., New York Times (Fig.7: 506) or PR Newswire (Fig.8)) based on selection by the user. In the case of an article by more than one news report provider, the user can select the article by a particular news report provider by clicking on a hyperlink. (col. 11, ln 66-67). Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to add these features because it would give the system more flexibility.

In regard to claim 14, Kanevsky et al. show the method and system discussed above but does not specifically show the determining is done by a computer operated by the user. Appelt et al. show the method above, wherein said determining is performed via a computer network connection (the internet 530, col.12, 11.48-53) between the interactive voice response system (the natural language query system 100) and a computer (workstations 532) operated by the user. Therefore, it would be obvious to one of ordinary skill in the art at the time of the invention to add these features because it would give the system more flexibility.

In regard to claims 15,34, and 43,Kanevesky et al. show the method and system discussed above but does not specifically show that grammar words can be obtained and added to the grammar. Appelt et al. show the method above, further comprising: automatically obtaining grammar words (topic-specific information, e.g., 'joint venture', 'SBC', col.7, ln.49-50) to be added to the grammar (e.g., grammar template files 310 which are located in database 109: col.7, ln. 46-48, col.10, ln. 6-11) from at least one

message (Fig.7, 502, Fig.8) for a user. The topic and keywords are automatically

extracted by the automation 300 (col. 7, ln 53- 57- col. 8, ln. 1-20, col. 10, ln. 6-1 6) The

news article (Fig. 7, 502, Fig.8) is a message that can be represented in text format

(col.5, ln. 14-15) or in sound stream (col. 5, ln. 15-17, col. 14, ln. 9-13). Therefore, it

would be obvious to one of ordinary skill in the art at the time of the invention to add

these features because it would give the system more flexibility.

In regard to claims 16 and 44, Kanevsky et al. show the method and system

discussed above but does not specifically show that message words can be compared

and added to the grammar. Appelt et al. show the method above, further comprising:

comparing message words (topic & keywords) in the at least one message (Fig.7, 502,

Fig. 8) with information in a global information database (e.g., searching the database

109 by information extraction and query engine 104) to determine for each message

word (e.g., 'joint venture', 'SBC') whether there are any corresponding questions (e.g.,

"Tell me about joint ventures involving SBC in the Communication Service Sector" or

"Did Barnes & Nobel acquire anyone this year?", col.6, ln. 48-51) that can be answered

by information in the global information database (database 109, col.6, ln.43-55) and

updating the grammar (grammar rules or files) with the corresponding questions and

related message words. (col.7, ln. 33-52). Therefore, it would be obvious to one of

ordinary skill in the art at the time of the invention to add these features because it

would give the system more flexibility.

9.   Claims 18-22,35-38, and 45-46 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Kanevsky et al (cited above) in view of Appelt et al. (U.S. Patent

6,601,026) in further view of Weber (6,434,524).

In regard to claim 18, Kanevsky et al. and Appelt et al. show the method and

system discussed above but does not specifically show automatically adding words to a

grammar. Weber teaches automatically adding words (e.g., new information) to a

grammar (grammar files, col.3, ln. 4-7- col.12, ln 53-67). Therefore, it would be obvious

to one of ordinary skill in the art at the time of the invention to add these features

because it would give the system more flexibility.

In regard to claims 19 and 35 Appelt et al. show the method above, wherein the

message (Fig.8) is a voicemail message (e.g. sound stream, col.14, ln.9-12., col.5,

ln.14-20) and the source of the message is based on automatic number identification

(message-ID: Fig.8,506) provided when the voicemail message was received.

In regard to claims 20-22,36-38, and 45-46, Kanevsky et al. show a method,

computer readable medium, and system for providing an interactive voice response

system wherein the message is an e-mail message, and wherein said method further

comprises adding information to the grammar from an address book entry for the

sender of the e-mail, automatically updating the grammar based on calendar

information stored for a user asking the spoken question, and adding to the grammar to

enable said recognizing for questions about locations found in the calendar information

(Fig. 4, item 104, col. 10, ln 40-50).

    Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Susan McFadden whose telephone number is 703-308-

6693. The examiner can normally be reached on Monday-Friday, 9:30-6:00.

    If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Doris To can be reached on 703-305-4827. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

    Information regarding the status of an application may be obtained from the

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Susan McFadden
Primary Examiner
Art Unit 2655

September 30, 2004